

Appl. No. 10/573,586
Amendment dated April 15, 2008
Reply to Office Action of January 29, 2008

REMARKS

In the January 29, 2008 Office Action, claims 1-8, 10 and 14-20 stand rejected in view of prior art. Claim 10 also were as being indefinite for failing particularly point out and distinctly claim the subject matter that Applicants regard as the invention. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the January 29, 2008 Office Action, Applicants have amended claims 1-5, 10 and 20 as indicated above. Claims 9 and 11-13 were previously cancelled. Thus, claims 1-8, 10, 14-20 are now pending, with claim 1 being the only independent claim. Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Claim Rejections - 35 U.S.C. §112

In paragraphs 4 and 5 of the Office Action, claim 10 was rejected under 35 U.S.C. §112, second paragraph. In response, Applicants have amended claim 10 to remove the ambiguous language in the claim. Applicants believe that the claims now comply with 35 U.S.C. §112, second paragraph. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections - 35 U.S.C. § 103

In paragraphs 7-18 of the Office Action, claims 1-8, 10 and 14-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over UK Patent Application Publication No. 2 260 830 (Shyu) in view of Japanese Patent Application Publication No. 2000-046401 (Kataoka et al.). In response, Applicants have amended independent claim 1 to more clearly define the present invention over the prior art.

In particular, independent claim 1 now requires, *inter alia*, a control unit configured to set the air flow direction to a predetermined air flow direction of the plurality of air flow directions when the powerful operation mode is selected regardless of the air flow direction prior to when the powerful operation is selected. In other words, with the present invention the air flow direction is automatically changed to a predetermined

(desired/set) direction when the powerful mode is selected even if the air flow direction prior to selecting the powerful mode is different from the predetermined air flow direction.

Amended claim 1 is supported by and/or can be understood from page 2, lines 4-5, page 2, lines 27-32, page 11, lines 4-20 and page 12, lines 18-32. In any case, the arrangement of independent claim 1 is not disclosed or suggested by the Shyu publication and/or the Kataoka et al. publication, whether taken alone or in combination.

In the Shyu publication the air flow direction of the air deflector is set *independently* of the fan speed (i.e., *independently* of the operation mode selected), and is not automatically set when any particular fan speed is selected. Moreover, the Shyu publication lacks a powerful operation mode as claimed, as acknowledged at the top of page 5 of the Office Action. The Office Action therefore relies on the Kataoka et al. publication to teach a powerful operation mode as claimed. However, the Kataoka et al. publication suffers from the same deficiency as the Shyu publication with respect to controlling the air flow direction. Specifically, the Kataoka et al. publication, like the Shyu publication, fails to disclose or suggest a control unit configured to set the air flow direction to a predetermined air flow direction corresponding to a predetermined operational setting when the powerful operation mode is selected regardless of the air flow direction prior to when the powerful operation is selected, as now required by independent claim 1.

Accordingly, even if these references were somehow combined as suggested in the Office Action, the hypothetical device created by such a hypothetical combination would not include all of the features of independent claim 1, as now amended. Accordingly, withdrawal of the rejection of independent claim 1 is respectfully requested. Dependent claims 2-8, 10 and 14-20 depend from independent claim 1, and thus, are allowable for the reasons discussed above with respect to independent claim 1.

Moreover, these dependent claims 2-8, 10 and 14-20 include additional limitations, which in combination with the features of independent claim 1, are believed to even further distinguish the prior art of record. Accordingly, withdrawal of the rejections of dependent claims 2-8, 10 and 14-20 are also respectfully requested.

Appl. No. 10/573,586
Amendment dated April 15, 2008
Reply to Office Action of January 29, 2008

* * *

In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-8, 10 and 14-21 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested. If there are any questions regarding this Amendment, please feel free to contact the undersigned.

Respectfully submitted,

/Patrick A. Hilsmier/
Patrick A. Hilsmier
Reg. No. 46,034

GLOBAL IP COUNSELORS, LLP
1233 Twentieth Street, NW, Suite 700
Washington, DC 20036
(202)-293-0444
Dated: April 15, 2008

S:\04-APR08-YTY\DK-US030767 Amendment (Applicants plural).doc